

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

2016 APR -7 AM 11:54

CR 216-014

CLERK

SO. DIST. OF GA.

UNITED STATES OF AMERICA) INDICTMENT NO:
) 26 U.S.C. § 5861
v.) 18 U.S.C. § 922(o)
) 21 U.S.C. § 841(a)(1)
DAVID J. GOULD) 18 U.S.C. § 924(c)
) 18 U.S.C. § 2

I N D I C T M E N T

THE GRAND JURY CHARGES THE FOLLOWING:

COUNT ONE

26 U.S.C. § 5861(a) & 18 U.S.C. § 2

Failure to Register as Manufacturer of NFA Weapon and Failure to Pay Required Tax

Beginning at a time unknown until on or about March 18, 2016, in Chatham County, within the Southern District of Georgia, and elsewhere, the defendants, DAVID J. GOULD, being aided and abetted by others, did knowingly engage in the business of manufacturing machine guns, to wit AR-15 .223 fully automatic weapons which qualify as National Firearms Act weapons, without having paid the special occupational tax required by Title 26, United States Code, Section 5801 and without having registered as required by Title 26, United States Code, Section 5802, in violation of Title 26, United States Code, Sections 5861(a) and 5871 and Title 18, United States Code, Section 2.

COUNT TWO

26 U.S.C. § 5861(c)

Possession of a Firearm Made in Violation of the NFA

Beginning at a time unknown until on or about February 1, 2016, in Chatham County, within the Southern District of Georgia, and elsewhere, the defendant, **DAVID J. GOULD**, did knowingly possess a Short Barreled Rifle AR-15 machine gun, .223 caliber, a National Firearms Act weapon, made in violation of Chapter 53 of Title 26, in violation of Title 26, United States Code, Sections, 5861(c), and 5871.

COUNT THREE

26 U.S.C. § 5861(d)

Possession of a Firearm Not Registered in National Firearms Registration and Transfer Record

Beginning at a time unknown until on or about February 1, 2016, in Chatham County, within the Southern District of Georgia, and elsewhere, the defendant, **DAVID J. GOULD**, did knowingly possess a Short Barreled Rifle AR-15 machine gun, .223 caliber, a National Firearms Act weapon, which was not registered to him in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Sections 5861(d), and 5871.

COUNT FOUR

26 U.S.C. § 5861(e)

Unlawful Transfer of a Firearm in Violation of National Firearm Act

On or about February 1, 2016, in Chatham County, within the Southern District of Georgia, and elsewhere, the defendant, **DAVID J. GOULD**, did knowingly transfer to another, a Short Barreled Rifle AR-15 machine gun, .223 caliber, a National Firearms Act weapon, which was not registered in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Sections 5861(e), and 5871.

COUNT FIVE

26 U.S.C. §5861(f) & 18 U.S.C. § 2

Unlawful Making of a Firearm in Violation of National Firearm Act

Beginning at a time unknown to the Grand Jury, until on or about February 1, 2016, in Chatham County, within the Southern District of Georgia, and elsewhere, the defendant, **DAVID J. GOULD**, being aided and abetted by others, did knowingly make a Short Barreled Rifle AR-15 machine gun, .223 caliber, a National Firearms Act weapon, in violation of Title 26, United States Code, Sections 5822, 5861(f), and 5871 and Title 18, United States Code, Section 2.

COUNT SIX

26 U.S.C. § 5861(I)

Possession of Firearm which is Not Identified by a Serial Number

Beginning at a time unknown to the Grand Jury, until on or about February 1, 2016, in Chatham County, within the Southern District of Georgia, and elsewhere, the defendant, **DAVID J. GOULD**, did knowingly possess a Short Barreled Rifle AR-15 machine gun, .223 caliber, a National Firearms Act weapon, which was not identified by a serial number, as required by chapter 53 of Title 26, in violation of Title 26, United States Code, Sections 5861(f), and 5871.

COUNT SEVEN

18 U.S.C. § 922(o)

Illegal Possession of a Machine Gun

Beginning at a time unknown to the Grand Jury, until on or about February 1, 2016, in Chatham County, within the Southern District of Georgia, the defendant, **DAVID J. GOULD**, did knowingly possess a machine gun, that is a Short Barreled Rifle AR-15 machine gun, .223 caliber, in violation of Title 18, United States Code, Section 922(o).

COUNT EIGHT
21 U.S.C. § 841(a)(1)
Distribution of Marijuana

On or about February 8, 2016, in Chatham County, within the Southern District of Georgia, the defendant, **DAVID J. GOULD**, did knowingly and intentionally distribute a quantity of marijuana, a schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT NINE
18 U.S.C. § 924(c)

Carrying and Brandishing a Firearm in Relation to a Drug Trafficking Crime

On or about February 8, 2016, in Chatham County, within the Southern District of Georgia, the defendant, **DAVID J. GOULD**, did knowingly carry and brandish a Glock 9mm caliber semi-automatic firearm, during and in relation to a drug trafficking crime, a violation of Title 21, United States Code, Section 841(a)(1)(A), as outlined in Count Eight of this Indictment, all done in violation of Title 18, United States Code, Section 924(c).

COUNT TEN

26 U.S.C. § 5861(c)

Possession of a Firearm Made in Violation of the NFA

On or about March 18, 2016, in Glynn County, within the Southern District of Georgia, and elsewhere, the defendant, **DAVID J. GOULD**, did knowingly possess an AR-15 machine gun, .223 caliber, and two AR-15 machine gun lowers, .223 caliber, which all qualify as National Firearms Act weapons, made in violation of Chapter 53 of Title 26, in violation of Title 26, United States Code, Sections, 5861(c), and 5871.

COUNT ELEVEN

26 U.S.C. § 5861(d)

Possession of a Firearm Not Registered in National Firearms Registration and Transfer Record

On or about March 18, 2016, in Glynn County, within the Southern District of Georgia, and elsewhere, the defendant, **DAVID J. GOULD**, did knowingly possess machine guns, to wit: an AR-15 machine gun, .223 caliber, and two AR-15 machine gun lowers, .223 caliber, which qualify as National Firearms Act weapons, which were not registered to him in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Sections 5861(d), and 5871.

COUNT TWELVE

26 U.S.C. § 5861(e)

Unlawful Transfer of a Firearm in Violation of National Firearm Act

On or about March 18, 2016, in Glynn County, within the Southern District of Georgia, the defendant, **DAVID J. GOULD**, did knowingly transfer one AR-15 machine gun, .223 caliber, and two AR-15 machine gun lowers, .223 caliber, which qualify as National Firearms Act weapons, which were not registered in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Sections 5861(e), and 5871.

COUNT THIRTEEN

26 U.S.C. § 5861(f) & 18 U.S.C. § 2

Unlawful Making of a Firearm in Violation of National Firearm Act

Beginning at a time unknown to the Grand Jury, but at some time after February 1, 2016 until on or about March 18, 2016, in Chatham and Glynn Counties, within the Southern District of Georgia, and elsewhere, the defendant, **DAVID J. GOULD**, being aided and abetted by others, did knowingly make one AR-15 machine gun, .223 caliber, and three AR-15 machine gun lowers, .223 caliber, which qualify as National Firearms Act weapons, in violation of Title 26, United States Code, Sections 5822, 5861(f), and 5871 and Title 18, United States Code, Section 2.

COUNT FOURTEEN

26 U.S.C. § 5861(i)

Possession of Firearms which are Not Identified by a Serial Number

Beginning at a time unknown to the Grand Jury, but at some time after February 1, 2016, until on or about March 18, 2016, in Chatham and Glynn Counties, within the Southern District of Georgia, and elsewhere, the defendant, **DAVID J. GOULD**, did knowingly possess one AR-15 machine gun, .223 caliber, and three AR- 15 machine gun lowers, .223 caliber, which qualify as National Firearms Act weapons, which were not identified by a serial number, as required by Chapter 53 of Title 26, in violation of Title 26, United States Code, Sections 5861(f), and 5871.

COUNT FIFTEEN

18 U.S.C. § 922(o)

Illegal Possession of Machine Guns

On or about March 18, 2016, in Chatham and Glynn Counties, within the Southern District of Georgia, the defendant, **DAVID J. GOULD**, did knowingly possess one AR-15 machine gun, .223 caliber and three AR-15 machine gun lowers, .223 caliber, in violation of Title 18, United States Code, Section 922(o).

COUNT SIXTEEN
21 U.S.C. § 841(a)(1)
Distribution of Marijuana

On or about March 18, 2016, in Glynn County, within the Southern District of Georgia, the defendant, **DAVID J. GOULD**, did knowingly and intentionally distribute a quantity of marijuana, a schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT SEVENTEEN

18 U.S.C. § 924(c)

Carrying a Firearm in Relation to a Drug Trafficking Crime

On or about March 18, 2016, in Chatham and Glynn Counties, within the Southern District of Georgia, the defendant, **DAVID J. GOULD**, did knowingly carry a 9mm caliber semi-automatic firearm, during and in relation to a drug trafficking crime, a violation of Title 21, United States Code, Section 841(a)(1)(A), as outlined in Count Sixteen of this Indictment, done in violation of Title 18, United States Code, Section 924(c).

COUNT EIGHTEEN

18 U.S.C. § 924(c)

Carrying a Firearm in Relation to a Drug Trafficking Crime

On or about March 18, 2016, in Chatham and Glynn Counties, within the Southern District of Georgia, the defendant, **DAVID J. GOULD**, did knowingly carry a loaded Bravo Company AR-15 firearm, during and in relation to a drug trafficking crime, a violation of Title 21, United States Code, Section 841(a)(1)(A), as outlined in Count Sixteen of this Indictment, done in violation of Title 18, United States Code, Section 924(c).

COUNT NINETEEN

18 U.S.C. § 924(c)

Carrying Machine Guns in Relation to a Drug Trafficking Crime

On or about March 18, 2016, in Chatham and Glynn Counties, within the Southern District of Georgia, the defendant, **DAVID J. GOULD**, did knowingly carry one AR-15 machine gun, .223 caliber and two AR-15 machine gun lowers, .223 caliber, during and in relation to a drug trafficking crime, a violation of Title 21, United States Code, Section 841(a)(1)(A), as outlined in Count Sixteen of this Indictment, all done in violation of Title 18, United States Code, Section 924(c).

COUNT TWENTY

18 U.S.C. § 924(c)

Possession of Firearm in Furtherance of Drug Trafficking Crime

On or about March 18, 2016, in Chatham County, within the Southern District of Georgia, the defendant, **DAVID J. GOULD**, did unlawfully and knowingly possess a .22 caliber derringer firearm in furtherance of a drug trafficking crime, a violation of Title 21, United States Code, Section 841(a)(1)(A), as outlined in Count Sixteen of this Indictment, in violation of 18 U.S.C. § 924(c)(1)(A).

FORFEITURE ALLEGATIONS

The allegations contained in Counts Eight, Sixteen, and Twenty of this Indictment are hereby realleged and incorporated by reference for purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d)(1), Title 21, United States Code, Section 853, and Title 28, United States Code, Section 2461(c).

Upon conviction of one or more of the offenses in violation of Title 21, United States Code, Section 841(a)(1) set forth in Counts Eight and Sixteen of this Indictment, Defendant **DAVID J. GOULD** shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any proceeds obtained, directly or indirectly, as the result of such offense(s) and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense(s), including but not limited to the approximate \$2000 in United States Currency.

Upon conviction of the offense in violation of Title 18, United States Code, Section 924(c) set forth in Count Twenty of this Indictment, Defendant **DAVID J. GOULD** shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in the commission of the offense, including but not limited to one .22 caliber Derringer pistol.

If any of the property described above, as a result of any act or omission of the defendant:

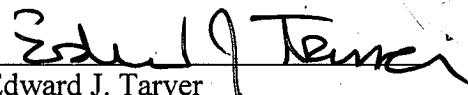
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

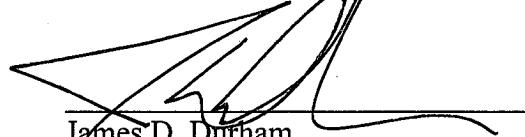
Signatures on following page

A True Bill.

Foreperson


Edward J. Tarver

United States Attorney


James D. Durham

First Assistant United States Attorney


E. Greg Gilluly, Jr. (lead counsel)

Assistant United States Attorney


Brian T. Rafferty

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